

REMARKS

Claims 1-20 were considered. Claims 1, 7-9, and 14 are amended. Claim 21 is added. Claims 1-21 remain in the Application.

The Patent Office rejects claims 1-3, 6-11, 14-15, and 18-20 under 35 U.S.C. § 102(b). The Patent Office rejects claims 4-5, 12-13, and 16-17 under 35 U.S.C. § 103(a). Reconsideration of the pending claims is respectfully requested in view of the above amendments and the following remarks.

Applicant adds new claim 21. Support for this claim may be found in the Application at, for example, page 4, paragraph 0022.

A. Objections to Claims 7 & 9

The Patent Office objects to claims 7 and 9 as not properly written in the Markush format. Both claims are currently appropriately corrected.

Applicant respectfully requests the Patent Office withdraw the objection to claims 7 and 9.

B. 35 U.S.C. § 102(b): Rejection of Claims 1-3, 6-11, 14-15, & 18-20

The Patent Office rejects claims 1-3, 6-11, 14-15, and 18-20 under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 5,238,293 of Gibson (Gibson).

Independent claim 1 is not anticipated by Gibson, because Gibson does not disclose an apparatus comprising a box-shaped seat liner defined by a back portion and two opposing side portions, wherein the two opposing side portions are coupled to the back portion so that an edge angle between each of the opposing side portions and the back portion defines a box shape at an area of coupling. Support for the amendments to claim 1 may be found in the Application at, for example, page 4, paragraph 0022. Gibson describes a flat sheet of quilted material cut in a shape so as to enable the arrangement of the sheet into a seat cover on the seat of a shopping cart. (See Figures 1-2 of Gibson.) Gibson also describes a method of rolling up the seat cover. (See

Figures 6-10 of Gibson.) Thus, although the flat sheet disclosed in Gibson may be arranged into a seat cover in a seat section of a shopping cart, none of the sections of the flat sheet described are coupled so as to have an edge angle that defines a box shape.

Claims 2-3 and 6-7 depend from claim 1 and therefore contain all the limitations of that claim. For at least the reason stated with respect to claim 1, claims 2-3 and 6-7 are not anticipated by Gibson.

Independent claim 8 includes a box-shaped seat liner defined by a back portion and two opposing side portions, wherein the two opposing side portions are coupled to the back portion so that an edge angle between each of the opposing side portions and the back portion defines a box shape at an area of coupling. Claim 8 is not anticipated by Gibson, under an argument analogous to the one stated above with respect to claim 1.

Claims 9-11 depend from claim 8 and therefore contain all the limitations of that claim. For at least the reason stated with respect to claim 8, claims 9-11 are not anticipated by Gibson.

Independent claim 14 includes a box-shaped seat liner defined by a back portion and two opposing side portions, wherein the two opposing side portions are coupled to the back portion so that an edge angle between each of the opposing side portions and the back portion defines a box shape at an area of coupling.. Claim 14 is not anticipated by Gibson, under an argument analogous to the one stated above with respect to claim 1.

Claim 15 depends from claim 8 and therefore contains all the limitations of that claim. For at least the reason stated with respect to claim 14, claim 15 is not anticipated by Gibson.

Independent claim 18 is not anticipated by Gibson, because Gibson does not disclose an elongate portion, to be disposed only about a handle of a shopping cart. Gibson discloses a seat cover that might have a portion that may be disposed over the handle of a shopping cart, but it is also disposed over other parts of the cart (e.g., the front edge of the seat).

Claims 19-20 depend from claim 18 and therefore contain all the limitations of that claim. For at least the reason stated with respect to claim 18, claims 19-20 are not anticipated by Gibson.

Applicant respectfully requests the Patent Office withdraw the rejection to claims 1-3, 6-11, 14-15, and 18-20 under 35 U.S.C. §102(b).

C. 35 U.S.C. § 103(a): Rejection of Claims 4-5, 12-13 & 16-17

The Patent Office rejects claims 4-5, 12-13, and 16-17 under 35 U.S.C. §103(a) as obvious over Gibson in view of U.S. Patent No. 6,129,417 of Cohen-Fyffe (Cohen-Fyffe). To render a claim obvious, all elements of that claim must be taught or suggested by at least one properly combined reference.

Claim 4 depends from claim 1 and therefore contains all the limitations of that claim. Claim 12 depends from claim 8 and therefore contains all the limitations of that claim. Claim 16 depends from claim 14 and therefore contains all the limitations of that claim. For at least the reasons stated above with respect to their independent claims, claims 4, 12, and 16 are not obvious over Gibson in view of Cohen-Fyffe.

For the above stated reasons, Applicants respectfully request that the Patent Office withdraw the rejection to claims 4-5, 12-13, and 16-17.

CONCLUSION

In view of the foregoing, it is believed that all claims now pending patentably define the subject invention over the prior art of record and are in condition for allowance and such action is earnestly solicited at the earliest possible date. Applicant respectfully requests that the Patent Office contact the Applicant's representative for a Examiner Interview if any issues remain.

Respectfully submitted,

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